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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Henry Haugland

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09/23/2004

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EXAMINER

FLYNN, KIMBERLY D

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/513,845	Applicant(s) HAUGLAND ET AL. P28	
	Examiner Kimberly D Flynn	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33,42,43,45-53,62 and 63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33,42,43,45-53,62 and 63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to an Amendment filed May 21, 2004. Claims 1-33, 42-43, 45-53, and 62-63 are presented for further consideration. Claims 34-41, 44, 54-61, and 64-78 have been canceled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 9-17, 23-24, 28, 31-33, 42-43, 45-46, 51-53, and 62-63 rejected under 35 U.S.C. 102(e) as being anticipated by Chiu et al. (U.S. Patent No. 5,752,022 hereinafter Chiu).

In considering claims 1, 31-33, 46, and 51-53, Chiu discloses a method for inducing a contact to invoke a resource prepared by a promoter on a network, the method comprising:

generating a resource location description for the resource by the promoter, the resource location description including the name of the contact (name of the server that hosts the data) (see col. 3, lines 42-55);

providing access to the resource at a location on the network according to the resource location description and notifying the contact (server hosting the data) about the resource location description for the resource (col. 3, lines 57-67).

In considering claim 2, Chiu discloses tailoring content in the resource in response to the resource location description used to access the resource (col. 4, lines 25-39).

In considering claim 3, Chiu discloses providing access to the resource at the location comprising placing the resource at the location (col. 3, lines 61).

In considering claim 4, Chiu discloses an operating system to divert a request for the resource at the location to a second location where the resource resides (col. 3, lines 57-60).

In considering claim 9, Chiu discloses wherein the resource location description is a universal resource locator address (col. 3, lines 49-51).

In considering claims 10 and 11, Chiu discloses wherein the resource location description includes a directory name; and the generating comprises the contact name in the directory name (col. 3, lines 49-51).

In considering claims 12, Chiu discloses making a resource location description unique among a plurality of other resource location description corresponding to a plurality of contacts (col. 4, lines 10-15).

In considering claims 13-16 and 23-24, Chiu discloses making the resource location description unique by making changes to the characters and domain (col. 4, lines 1-23).

In considering claim 17, Chiu discloses updating a domain file name to include the host name for use by the domain name server (col. 3, lines 49-51).

In considering claim 28, Chiu discloses dynamically tailoring content in the resource in response to authentication in a request for the resource (col. 3, lines 50-51, userid and password).

In considering claims 42-43, 45, and 62-63, Chiu discloses a method of promoting a cause to a contact, the method comprising:

including a name of the contact in a network address associated with the cause; and
including the network address in material sent to the contact (col. 3, lines 49-51).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-8, 18-22, 25-27, 29-30, and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiu in view of LeMole (U.S. Patent No. 6,009,410 hereinafter LeMole).

In considering claims 6 and 26, although Chiu discloses the system substantially as claimed Chiu does not disclose the method comprising logging activity involving the resource, and changing content in response to the activity logged. Nonetheless logging activity and changing the content in response to the logged activity is well known. In similar art LeMole discloses wherein user activity about a resource is logged and an advertising page is created based on the user's profile stored in the user profile database (col. 4, lines 47-56). Thus given the teaching of LeMole, a person having ordinary skill in the art would have recognized the advantages and desirability of modifying the system as disclosed by Chiu to include the step of logging activity involving the resource; and changing content in response to the activity logged in order to provide customized pages to the user. Therefore the claimed limitation would have been obvious modifications.

In considering claims 7 and 47, LeMole further discloses setting up a contact database, and automatically retrieving the contact name from the database before the generating the resource location description (col. 4, lines 55-62).

In considering claims 8, 25, and 48, LeMole further discloses repeating the steps of generation the resource location description, providing access, and notifying the contact for a plurality of contacts from the contact database (col. 4, lines 23-27).

In considering claims 5, LeMole discloses generating content for the document dynamically in response to the resource location description in the request (col. 4, lines 23-27).

In considering claim 18-22, while the combined system of Chiu and LeMole discloses the system substantially as claimed it does not explicitly disclose terminating access to the resource at the location when a promotion ends or reaches a predetermined stage, Nonetheless examiner take official notice that the aforementioned limitations are well known features of Internet advertisements. It would have been obvious to include the steps of terminating access to the resource at the location when a promotion ends or reaches a predetermined stage in order to allow the user to have access to a variety of promotions that are available. Therefor the claimed limitations would have been obvious modification to the combined system of Chiu and LeMole.

In considering claims 27, although Chiu discloses the system substantially as claimed Chiu does not disclose denying access to a resource if a request for the resource does not include a predetermined authentication. Examiner takes official notice that denying access to a resource if a request for the resource does not include authentication is notoriously well known in the Internet art. It would have been obvious to a person having ordinary skill in the art to include this feature in order to prevent unauthorized access to resources.

In considering claims 29 and 30, although the combined system of Chiu and LeMole discloses the invention substantially as claimed it does not disclose launching a credit card purchase process in response to activity logged and directing user acting on a document to a secure socket layer. Nonetheless Examiner takes official notice that the aforementioned limitations are well known features of e-commerce sites. It would have been obvious to include the steps into the combined system of Chiu and LeMole in order to provide the user with purchasing capabilities on visited sites.

Response to Arguments

6. Applicant's arguments filed May 21, 2004 have been fully considered but they are not persuasive.

Applicant contends that Chiu alone or in combination with LeMole does not teach or suggest including the name of the contact in a resource location description not of notifying the contact about the resource location description of the resource. Examiner disagrees. Chiu whose invention is a system and method for creating a hypertext language for a distributed computer network discloses wherein an initial request for access to documents contain an imbedded reference to the linked information including the name of the server which host the data. The request is made to the actual location of the requested document as it is found on the network. Although Chiu does not refer to the server as a contact they are functionally equivalent.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D Flynn whose telephone number is 703-308-7609. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kimberly D Flynn
Examiner
Art Unit 2153

KF
September 20, 2004



Dung C. Dinh
Primary Examiner